

111TH CONGRESS
2D SESSION

H. R. 4771

To establish a commission to commemorate the sesquicentennial of the
American Civil War.

IN THE HOUSE OF REPRESENTATIVES

MARCH 4, 2010

Mr. JACKSON of Illinois introduced the following bill; which was referred to
the Committee on Oversight and Government Reform

A BILL

To establish a commission to commemorate the
sesquicentennial of the American Civil War.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Civil War Sesqui-
5 centennial Commission Act”.

6 **SEC. 2. FINDINGS AND PURPOSE.**

7 (a) FINDINGS.—Congress makes the following find-
8 ings:

9 (1) The American Civil War was a defining ex-
10 perience in the development of the United States.

1 (2) The people of the United States continue to
2 struggle with issues of race, civil rights, heritage,
3 and the politics of federalism, which are legacies of
4 the Civil War and Reconstruction.

5 (3) There is a resurgence of interest in the Civil
6 War that is evidenced by the multitude of publica-
7 tions, exhibits, reenactments, research organizations,
8 Internet and multimedia resources, historic parks,
9 and preservation associations focused on the Civil
10 War.

11 (4) The years 2010 through 2015 mark the ses-
12 quicentennial of the period beginning with the elec-
13 tion of Abraham Lincoln and concluding with the
14 end of the Civil War. Notable milestones during this
15 period include the following:

16 (A) On November 6, 1860, Abraham Lin-
17 coln was elected President of the United States.

18 (B) On December 20, 1860, in a special
19 convention, the South Carolina Legislature
20 voted to secede from the Union following the
21 election of Lincoln. In the early months of the
22 following year, Mississippi, Florida, Alabama,
23 Georgia, Louisiana, and Texas seceded and
24 formed the Confederate States of America.

1 (C) In April 1861, Confederate forces fired
2 on Fort Sumter, the first shots fired in the
3 Civil War. In response, President Lincoln or-
4 dered the blockade of all Confederate ports and
5 called for 75,000 volunteers to enlist in the
6 Union Army. Four more Southern States—Vir-
7 ginia, Arkansas, Tennessee and North Caro-
8 lina—seceded in the months following the at-
9 tack on Fort Sumter.

10 (D) The Civil War spawned numerous
11 campaigns, battles, and engagements, including
12 Bull Run, the Monitor versus the Merrimac, the
13 Peninsula Campaign, Shiloh, the Capture of
14 New Orleans, the Shenandoah Valley Cam-
15 paign, Seven Pines, Seven Days, Antietam,
16 Fredericksburg, Chancellorsville, Gettysburg,
17 the Siege of Vicksburg, Chickamauga, Chat-
18 tanooga, Wilderness, the Siege at Petersburg,
19 the Capture of Atlanta, the March to the Sea,
20 Nashville, and Appomattox.

21 (E) In January 1863, President Lincoln
22 issued the Emancipation Proclamation, freeing
23 all slaves in States considered to be in rebellion
24 against the Federal Government.

1 (F) On June 28, 1864, President Lincoln
2 repealed all fugitive slave laws.

3 (G) On January 31, 1865, the United
4 States Congress passed the 13th Amendment to
5 the Constitution, abolishing slavery and invol-
6 untary servitude.

7 (H) On April 9, 1865, Confederate General
8 Robert E. Lee surrendered at Appomattox
9 Courthouse.

10 (I) On April 14, 1865, President Lincoln
11 was shot by Confederate sympathizer John
12 Wilkes Booth while attending a play at Ford's
13 Theatre, and died the next day.

14 (J) In April and May 1865, Confederate
15 Generals Joseph Johnson and E. Kirby Smith,
16 leaders of the remaining organized Confederate
17 Forces, surrendered, formally ending the South-
18 ern Resistance.

19 (K) By the end of the Civil War, an esti-
20 mated 600,000 Union and Confederate soldiers
21 had been killed and over 471,000 wounded,
22 making the Civil War the bloodiest war in the
23 history of our Nation.

24 (5) The sesquicentennial of the Civil War pre-
25 sents a significant opportunity for Americans to re-

1 call and reflect upon all aspects of that conflict and
2 its legacy in a spirit of reconciliation and honest re-
3 flection, through exploration, interpretation, and dis-
4 cussion.

5 (b) PURPOSE.—The purpose of this Act is to estab-
6 lish a Civil War Sesquicentennial Commemoration Com-
7 mission to—

8 (1) ensure a suitable national observance of the
9 sesquicentennial of the Civil War that includes rec-
10 ognition of the historic, social, legal, cultural, and
11 political forces that caused the American Civil War
12 and influenced its course and outcomes;

13 (2) collaborate with and assist States and na-
14 tional organizations with programs and activities for
15 the observance of the sesquicentennial of the Civil
16 War;

17 (3) assist in ensuring that any observance of
18 the sesquicentennial of the Civil War is inclusive and
19 appropriately recognizes the experiences and points
20 of view of all people affected by the Civil War; and

21 (4) provide assistance for the development of
22 programs, projects, and activities on the Civil War
23 that have lasting educational value and are both na-
24 tional and international.

1 **SEC. 3. CIVIL WAR SESQUICENTENNIAL COMMEMORATION**
2 **COMMISSION.**

3 The Secretary of the Interior shall establish a com-
4 mission to be known as the Civil War Sesquicentennial
5 Commemoration Commission (hereafter in this Act re-
6 ferred to as the “Commission”).

7 **SEC. 4. COMPOSITION OF THE COMMISSION.**

8 (a) IN GENERAL.—The Commission shall be com-
9 posed of 29 members as follows:

10 (1) GOVERNMENT MEMBERS.—The Commission
11 shall include—

12 (A) 2 Members of the Senate appointed by
13 the President pro tempore of the Senate, in
14 consultation with the majority leader and the
15 minority leader of the Senate;

16 (B) 2 Members of the House of Represent-
17 atives appointed by the Speaker of the House of
18 Representatives;

19 (C) the Secretary of the Interior or the
20 designee of the Secretary;

21 (D) the Secretary of the Smithsonian In-
22 stitution, or the designee of the Secretary;

23 (E) the Secretary of Education, or the des-
24 ignee of the Secretary;

1 (F) the Chairman of the National Endow-
2 ment for the Humanities, or the designee of the
3 Chairman;

4 (G) the Chairman of the National Endow-
5 ment of the Arts, or the designee of the Chair-
6 man;

7 (H) the Archivist of the United States, or
8 the designee of the Archivist;

9 (I) the Librarian of Congress, or the des-
10 ignee of the Librarian; and

11 (J) the Director of the National Park
12 Service, or the designee of the Director.

13 (2) PRIVATE MEMBERS.—The Commission shall
14 include—

15 (A) 7 members appointed by the President
16 from among individuals who are representative
17 of the corporate and foundation community, in-
18 cluding 1 individual with specific expertise in
19 communication and event planning; and

20 (B) 10 individuals appointed by the Presi-
21 dent from among persons who by reason of edu-
22 cation, training, and experience, are experts on
23 the Antebellum, Civil War, and Reconstruction
24 eras, including—

1 (i) 6 individuals with expertise in his-
2 tory;

3 (ii) 1 individual with specific expertise
4 in art history, historic preservation, or a
5 related field;

6 (iii) 1 individual with specific exper-
7 tise in the performing arts;

8 (iv) 1 individual with expertise in an-
9 thropology, cultural geography, sociology,
10 or a related field; and

11 (v) 1 individual with expertise in polit-
12 ical science, law, economics, or a related
13 field.

14 (b) TERMS.—

15 (1) GOVERNMENT MEMBERS.—If any member
16 of the Commission who was appointed as an officer
17 designated under subsection (a)(1) leaves such of-
18 fice, the member may continue as a member of the
19 Commission for not longer than the 30-day period
20 beginning on the date the member leaves such office.

21 (2) PRIVATE MEMBERS.—Private members
22 under subsection (a)(2) shall be appointed for the
23 life of the Commission.

1 (c) VACANCIES.—Any vacancy in the Commission
2 shall not affect its powers, and shall be filled in the same
3 manner as the original appointment.

4 (d) INITIAL APPOINTMENTS.—The appointment of
5 the members of the Commission shall be made not later
6 than 60 days after the date of the enactment of this Act.

7 **SEC. 5. GENERAL PROVISIONS.**

8 (a) MEETINGS.—

9 (1) INITIAL MEETING.—Not later than 60 days
10 after the date on which all members of the Commis-
11 sion have been appointed, the members appointed
12 under subparagraphs (A) and (B) of section 4(a)(2)
13 shall call the first meeting of the Commission.

14 (2) SUBSEQUENT MEETINGS.—The Commission
15 shall hold subsequent meetings at the call of the
16 Chairperson.

17 (b) CHAIRPERSON AND VICE CHAIRPERSON.—At the
18 initial meeting, the Commission shall elect a Chairperson
19 and a Vice Chairperson from among its voting members.

20 (c) QUORUM.—A majority of voting members shall
21 constitute a quorum, but a lesser number may hold meet-
22 ings.

23 (d) VOTING.—

1 (1) IN GENERAL.—The Commission shall act
2 only on an affirmative vote of a majority of the vot-
3 ing members of the Commission.

4 (2) NONVOTING MEMBERS.—The individuals
5 appointed under subparagraphs (A) and (B) of sec-
6 tion 4(a)(1) shall be nonvoting members, and shall
7 serve only in an advisory capacity.

8 **SEC. 6. DUTIES OF THE COMMISSION.**

9 (a) ACTIVITIES RELATED TO THE SESQUICENTEN-
10 NIAL.—The Commission shall—

11 (1) plan, develop, and carry out programs and
12 activities appropriate to commemorate the sesqui-
13 centennial of the Civil War, including activities in
14 recognition of the historic, social, legal, cultural, and
15 political forces that caused the American Civil War
16 and influenced its course and outcomes;

17 (2) encourage interdisciplinary examination of
18 the Civil War;

19 (3) facilitate Civil War-related activities
20 throughout the United States;

21 (4) encourage civic, historical, educational, eco-
22 nomic, and other organizations throughout the
23 United States to organize and participate in activi-
24 ties to expand the understanding and appreciation of
25 the significance of the Civil War;

1 (5) coordinate and facilitate the public distribu-
2 tion of scholarly research, publications, and interpre-
3 tations of the Civil War;

4 (6) provide assistance to States, localities, and
5 nonprofit organizations to further the commemora-
6 tion of the sesquicentennial of the Civil War;

7 (7) develop programs and facilities to ensure
8 that the sesquicentennial commemoration of the
9 Civil War results in a positive legacy and long-term
10 public benefit; and

11 (8) encourage the development and conduct of
12 programs designed to involve the international com-
13 munity in activities that commemorate the Civil
14 War.

15 (b) PLANS AND REPORT.—

16 (1) STRATEGIC PLAN AND ANNUAL PERFORM-
17 ANCE PLANS.—The Commission shall prepare a
18 strategic plan in accordance with section 306 of title
19 5, United States Code, and annual performance
20 plans in accordance with section 1115 of title 31,
21 United States Code, for the activities of the Com-
22 mission carried out under this Act.

23 (2) REPORTS.—

24 (A) ANNUAL REPORT.—The Commission
25 shall submit to Congress an annual report that

contains a list of each gift, bequest, or devise with a value of more than \$250, together with the identity of the donor of each such gift, bequest, or devise.

(B) FINAL REPORT.—Not later than December 30, 2015, the Commission shall submit to Congress a final report that contains—

(i) a summary of activities of the Commission;

(ii) a final accounting of funds received and expended by the Commission; and

(iii) the findings and recommendations of the Commission.

SEC. 7. GRANT PROGRAM.

(a) GRANTS AUTHORIZED.—The National Endowment for the Humanities, in collaboration with the National Endowment for the Arts, shall award grants under this section for the uses described in subsection (b).

(b) USE OF GRANTS.—Grants awarded under this section shall be used for activities that are determined by the National Endowment for the Humanities, in collaboration with the National Endowment for the Arts, to be appropriately related to the sesquicentennial of the Civil War and to further the purposes of this Act.

1 (c) CONSIDERATION.—In awarding grants under this
2 section, the National Endowment of the Humanities shall
3 consider established university, museum, or academic pro-
4 grams with national scope that sponsor multidisciplinary
5 projects that represent the totality of the Civil War.

6 **SEC. 8. POWERS OF THE COMMISSION.**

7 (a) IN GENERAL.—The Commission may, for the
8 purpose of carrying out this Act—

9 (1) accept and use gifts of money, property,
10 and services, and, notwithstanding section 1342 of
11 title 31, United States Code, may accept and use
12 voluntary services;

13 (2) appoint any advisory committee as the
14 Commission considers appropriate;

15 (3) authorize any voting member or employee of
16 the Commission to take any action that the Commis-
17 sion is authorized to take under this Act;

18 (4) procure supplies, services, and property, and
19 make or enter into contracts, leases, or other legal
20 agreements to carry out this Act (except that any
21 contracts, leases, or other legal agreements entered
22 into by the Commission shall not extend beyond the
23 date of the termination of the Commission);

1 (5) use the United States mails in the same
2 manner and under the same conditions as other
3 Federal agencies;

4 (6) secure directly from any department or
5 agency of the United States such information as the
6 Commission deems necessary to enable the Commis-
7 sion to carry out this Act, which shall be furnished
8 by the head of such department or agency at the re-
9 quest of the Commission; and

10 (7) establish an independent but affiliated
11 Foundation to support, as the Commission deems
12 necessary, the efforts of the Commission.

13 **SEC. 9. PERSONNEL MATTERS.**

14 (a) **COMPENSATION OF MEMBERS.**—Members of the
15 Commission, and members of any advisory committee ap-
16 pointed under section 8(a)(2), shall serve without com-
17 pensation.

18 (b) **TRAVEL EXPENSES.**—Members of the Commis-
19 sion, and members of any advisory committee appointed
20 under section 8(a)(2), shall be allowed, as the Secretary
21 of the Interior determines appropriate to carry out this
22 Act, travel expenses, including per diem in lieu of subsist-
23 ence, at rates authorized for an employee of an agency
24 under subchapter I of chapter 57 of title 5, United States
25 Code, while away from the home or regular place of busi-

1 ness of the member in the performance of the duties of
2 the Commission.

3 (c) STAFF.—

4 (1) IN GENERAL.—The Commission may ap-
5 point, terminate, and fix the pay of an executive di-
6 rector and such other additional personnel as are
7 necessary and appropriate to enable the Commission
8 to perform its duties.

9 (2) NONAPPLICABILITY OF CIVIL SERVICE
10 LAWS.—Consistent with all other applicable Federal
11 laws governing appointments and compensation, an
12 executive director and additional personnel may be
13 appointed, terminated, and paid without regard to
14 civil service laws (including regulations), including—

15 (A) the provisions of title 5, United States
16 Code, governing appointment in the competitive
17 service; and

18 (B) chapter 51 and subchapter III of chap-
19 ter 53 of title 5, United States Code, relating
20 to classification of positions and General Sched-
21 ule pay rates.

22 (3) MAXIMUM RATE OF PAY.—The rate of pay
23 for the executive director and other personnel shall
24 not exceed the rate payable for level V of the Execu-

1 tive Schedule under section 5316 of title 5, United
2 States Code.

3 (d) DETAIL OF GOVERNMENT EMPLOYEES.—

4 (1) IN GENERAL.—At the request of the Com-
5 mission, the head of any Federal agency may detail,
6 on a reimbursable or nonreimbursable basis, any of
7 the personnel of the agency to the Commission to as-
8 sist the Commission in carrying out the duties of the
9 Commission under this Act.

10 (2) CIVIL SERVICE STATUS.—The detail of an
11 employee under paragraph (1) shall be without inter-
12 ruption or loss of civil service status or privilege.

13 (e) SUPPORT SERVICES.—Upon request of the Com-
14 mission, the Department of the Interior shall provide to
15 the Commission, on a reimbursable basis, administrative
16 support services necessary for the Commission to carry out
17 its responsibilities under this Act, including the disburse-
18 ment of funds available to the Commission, and the com-
19 putation and disbursement of the basic pay for Commis-
20 sion personnel.

21 (f) PROCUREMENT OF TEMPORARY AND INTERMIT-
22 TENT SERVICES.—The Chairperson of the Commission
23 may procure temporary and intermittent services under
24 section 3109(b) of title 5, United States Code, at daily
25 rates for individuals which do not exceed the daily equiva-

1 lent of the annual rate of basic pay prescribed for level
2 V of the Executive Schedule under section 5316 of such
3 title.

4 (g) FACA NONAPPLICABILITY.—Section 14(b) of the
5 Federal Advisory Committee Act (5 U.S.C. App.) shall not
6 apply to the Commission.

7 (h) TERMINATION.—The Commission shall terminate
8 on the date that is 90 days after the date on which the
9 Commission submits its final report under section 6(b)(2).

10 **SEC. 10. AUTHORIZATION OF APPROPRIATIONS.**

11 (a) IN GENERAL.—There is authorized to be appro-
12 priated to carry out this Act (other than section 7)—

13 (1) \$750,000 for each of the fiscal years 2010
14 through 2012;

15 (2) \$500,000 for each of the fiscal years 2013
16 through 2015; and

17 (3) \$250,000 for each of the fiscal years 2016
18 through 2017.

19 (b) GRANTS.—There is authorized to be appropriated
20 \$3,500,000 to the National Endowment for the Human-
21 ities to provide grants under section 7.

○